

HARD TO CHOOSE UNBIASED DOZEN AT HERRIN TRIAL

Second Day of Examination for Jurors Opens With Not One in Box

NOBODY EXCLUDED MERELY BECAUSE OF PRO-UNIONISM

Prosecution Apparently Won't Demand Death Penalty

for Massacre

POPULATION NOT RADICAL

**Miners Are Proud of Their
Thrift—Large Number
Own Homes**

By a Staff Correspondent

Marion, Ill., Nov. 14.—The second day of the examination for jurors in the Herbin massacre trial, which opened last week in the Williamson County courthouse, before Circuit Judge Hartwell, began this morning with not one juror in the box. There remain 110 men in the special venire to be examined.

The panel of four tentative jurors

which State's Attorney Duty tendered late yesterday was broken by the defense's peremptory challenge of Jim Huggins, farmer and former school teacher of Creel Springs, Ill.

It was the first peremptory challenge made by the defense in this trial of the fire men accused "the people"—so it is expressed in these parts—of the killing of Howard Hoffman, a shovel worker imported with sixty others last June from the San Francisco Coal Company from Huntington, Ind. He was one of the twenty strike-breakers slain by a mob of infuriated miners.

Huggins, challenged by defense Attorney Rufus Neely, is not a miner nor a member of the United Mine Workers of America. He is a friend of Otis Clark, one of the defendants. The other defendants are Leva Mann, Peter Hall, Joseph Carnegie and Burr Grace.

All Four Are Farmers

The three tentative jurors tendered by Huggins by the State, and accepted tentatively by the defense, are Oscar Swanner, fifty-two, a farmer, who never was a miner nor a union man, and who does not believe in capital punishment; Tom Weaver, thirty-five, a farmer, who is no miner nor member of the union, and Henry O.

thirty-three, a farmer, who used to be a union man. These three men were in custody overnight.

The State has used six of its 100 percentage challenges, the defense one. There have been three men excused for cause or by agreement of counsel.

Neither defense nor prosecution nor judge is sanguine of speed in the completion of a jury. Most of the accused are known by the venetemen, and most of the venetemen are members of some local union—whether miners or otherwise.

Apparently membership in a union is not considered sufficient reason for rejection "for cause" of a member of a union, although the trial has taken on much of the aspect of a struggle between unionism and non-unionism.

Even men who are not members, however, have undoubted respect for the union. At one time or other most of them have worked in the mines. Many are farmers in the summer time, miners in the winter.

Population Respects the Union

To the union, conservation of venetemen revealed, the population looks for safety and improved conditions in their

"I'm not a union man," said Seamen, one of the tentative jurors, "and I never was a miner. But I have no feeling against men because they are union men."

The situation is associated in that unionism here has not originated in any sense of the population with radicalism in any sense of the word. To these men it represents a kind of power that grows out of a community of interest for general welfare, a kind of civic improvement association.

These miners are unusual, too, in their thrift. A stroll through Marion reveals the clean little bungalows newly built by the burglarious in process of construction line every street. And most of these attractive homes are owned by miners.

On a street in Marion ten blocks long there are only thirteen families.

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FALL KILLS FLIER POIRCE

Noted French Aviator and Two
Mechanicians Die
Le Bourget, France, Nov. 14.—By
A. P.—Edmond Poirce, noted French

aviator, and his two mechanics were killed today when his machine crashed here during the competition for the Grampa Prix for commercial airbush.

The accident was due to the breaking of the rear propeller of Poirée's airplane, which fell through the machine.

Poirée became famous as a daring pilot before the World War broke out, and in December, 1914, he lifted and gazette the aerial section of the Caze's armies. Later with the French armies he distinguished himself as a bombardier and observation flier. After the war he continued his flying, entering in many international competitions.

In August, 1921, he won the Prix Michelin, covering 3000 kilometers in thirteen hours and fourteen minutes, but the decision was reversed by the French aeronautical federation in favor of Captain Martinetti, an Italian.

An international dispute arose which was settled by the head of the Spanish aeronautical federation, an arbitrator, in favor of Poirée. A year later the French federation reversed the decision and decided that the Italian had won.

IF IT'S A FUSE, AND YOU WANT TO USE IT, YOU'D BETTER GET IT FIRST.